

AUG 30 1988

Mr. Bruce Lee Jernigan  
Divisional Vice President  
CERCLA Activities  
Browning-Ferris Industries  
P.O. Box 3151  
Houston, Texas 77253

Re: Browning-Ferris Industries  
Ponce, Puerto Rico  
EPA I.D. Number: PRD980594709

Dear Mr. Jernigan:

The Environmental Protection Agency (EPA) has reviewed both the June 29 and August 11, 1988 submittals regarding the protective filing request for the Ponce Municipal Landfill Cell #1. EPA has determined, based on the evidence submitted, that the Landfill Cell #1 was never used to treat, store, or dispose of any hazardous waste. In addition, the evidence submitted (e.g., aerial photographs and boring logs) showed that the land was virgin terrain and never disturbed before November 1983, at which time construction operations commenced for Landfill Cell #1. Since a Part A application was submitted for the facility including Landfill Cell #1, interim status was granted. Therefore, in order to reclassify this unit, complete background documentation had to be provided. BFI has submitted to the Agency all the necessary documents required for this determination. A revised Part A application must now be submitted deleting this unit. The only unit which should be listed in the revised Part A application is the co-disposal area which is currently undergoing closure.

In addition, EPA is currently reviewing the July 22, 1988 co-disposal investigation workplan. This investigation, along with past submittals should be used in the development of the post-closure permit application. As a reminder, your post-closure permit application is due to the Agency on January 12, 1989. We are available to discuss any problems you may encounter in the development of your application.



Should you have any questions, please contact Douglas Pocze, of my staff, at (212) 264-8690.

Sincerely yours,

Stanley Siegel, Chief  
Hazardous Waste Facilities Branch

cc: Marina Bouley, BFI  
Jose Cepeda, Goldman and Antonetti  
Randy Sullivan, Golder Associates, Inc.

bcc: Douglas Pocze, 2AWM-HWF  
Stephen Knight, 2AWM-HWF ✓  
Stanley Siegel, 2AWM-HWF  
Angel Chang, 2AWM-HWF  
Laura Livingston, 2PAB  
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